

EXTENSIONS OF REMARKS

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1997

Mr. KIND. Mr. Speaker, we are now beginning the third week of our final legislative session this year. And still no campaign finance reform vote.

We have heard from your office that the House of Representatives will stay in session this evening until final action is taken on the Labor, Health, Human Services and Education appropriations bill. I appreciate the fact that the leadership is willing to do what it takes to get this important piece of legislation passed. I wish we had this kind of commitment to campaign finance reform. Mr. Speaker, I and many of my colleagues are ready to stay in session all night long to debate and vote on the various campaign finance reform proposals currently pending in this Congress.

Every day more revelations are being made of abuses in the 1996 election. It is irresponsible for us to continue to investigate the abuses and not offer any legislation that closes the loopholes, strengthens disclosure, or corrects the various problems in the current system. Mr. Speaker, all we want is an opportunity to vote on this issue. Please give us the chance.

THE FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1997

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1997

Mr. HAMILTON. Mr. Speaker, the Committee on International Relations met earlier this week to hear testimony on H.R. 2431, formerly H.R. 1685, the Freedom From Religious Persecution Act of 1997.

For those of my colleagues who have not yet had an opportunity to study this legislation, I am placing in the RECORD an excerpt from the statement of the Hon. John Shattuck, Assistant Secretary of State for Democracy, Human Rights and Labor. Secretary Shattuck came before the committee on September 9 to share the administration's views on the bill.

I hope my colleagues will find the Secretary's comments useful in their consideration of this important legislation:

STATEMENT OF THE HONORABLE JOHN SHATTUCK, ASSISTANT SECRETARY OF STATE, DEMOCRACY, HUMAN RIGHTS AND LABOR ON H.R. 1685 THE FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1997

We are treating religious liberty as a foreign policy priority and we seek to respond to the call for action by Americans of every faith and belief.

With that important background, let me now turn to the "Freedom From Religious Persecution Act of 1997."

In summary, the Administration strongly supports the objectives of eliminating religious persecution, but we do not believe that the bill in its current form would accomplish this goal. In fact, we believe that the current draft would frustrate these and other objectives, and, for this reason, we oppose the legislation in its current form.

In particular, we fear that the legislation: is a blunt instrument that is more likely to harm, rather than aid, victims of religious persecution;

runs the risk of harming vital bilateral relations with key allies and regional powers, and undercutting U.S. Government efforts to promote the very regional peace and reconciliation that can foster religious tolerance and understanding from Europe to the Middle East to South Asia.

creates a confusing bureaucratic structure for dealing with religious persecution at the very time the Department of State is consolidating its authority and expending its effectiveness on these issues; and

establishes a de facto hierarchy of human rights violations that would severely damage US efforts—long supported by the religious community—to ensure that all aspects of civil and political rights are protected.

Before I detail these and other serious concerns, let me again emphasize our willingness to work with members in fashioning workable responses—legislative and otherwise—to religious persecution, wherever it occurs.

In particular, we are committed to strengthening and improving our new structures for addressing religious freedom and persecution in our foreign policy. We are prepared for serious discussions with the Committee about ways to reinforce these structures, including by the development of legislation to further enhance our efforts to promote religious freedom, such as by:

further increasing the visibility of this issue in the U.S. Government, undertaking official fact-finding and monitoring missions, and dedicating additional agency personnel to address religious persecution and complement the efforts of the Advisory Committee on Religious Freedom Abroad;

acting to insure that U.S. laws that involve human rights take explicit account of religious persecution;

initiating periodic public reporting on religious freedom issues in general, and increasing U.S. Embassy reporting and action on cases and situations involving religious persecution; and

supporting measures to improve immigration and refugee processing consideration of applicants fleeing religious persecution.

Let me set forth in more detail the basis for our concerns about H.R. 1685. First, and most importantly from our perspective, the bill could seriously harm the very people it seeks to help—those facing religious persecution. It runs the risk of strengthening the hands of governments and extremists who seek to incite religious intolerance. In particular, we fear reprisals by repressive governments against victims, as well as an end to any dialogue on religious freedom, in retaliation for the sanctions that the bill would automatically impose.

The provision that sanctions governments for failure to take adequate action against private acts of persecution is also troubling. Many governments that fail to combat soci-

etal religious persecution are simply too unstable or too weak to control extremists, insurgents, terrorists and those inciting societal religious persecution. Imposing punitive sanctions on weak governments, would only play into the hands of those elements in society that are perpetrating religious persecution. To deal effectively with societal religious persecution, our laws must allow us to help these weak transitional governments check extremist forces and protect victims from further persecution.

The bill would mandate a wide variety of sanctions against governments that engage in officially-sponsored religious persecution or that fail to combat societal religious persecution. Because our laws and policies already give significant weight to human rights, the United States provides little direct assistance to such governments. The imposition of automatic sanctions, therefore, would have little effect on government-sponsored religious persecution in most countries, but would make a productive human rights dialogue with sanctioned governments far more difficult or even impossible. The bill also runs the risk of harming vital bilateral relations with key allies and regional powers.

Second, the bill would create a de facto hierarchy of human rights violations under U.S. law that would severely damage our efforts to ensure that all aspects of basic civil and political rights, including religious freedom, are protected. It would differentiate between acts motivated by religious discrimination and similar acts based on other forms of repression or bias, such as denial of political freedom, or racial or ethnic hatred. In doing so, the bill would legislate a hierarchy of human rights into our laws. Certain deplorable acts would result in automatic sanctions when connected to religion, but not in other cases. As a consequence, our ability to promote the full range of basic rights and fundamental freedoms would be compromised.

Some governments and their apologists are now engaged themselves in an insidious campaign to devalue human rights by creating their own hierarchy, arguing that respect for economic rights should be preeminent. Those advancing this argument have often sought to justify a government's failure to respect civil and political rights (such as freedom of expression, assembly and association) by claiming that economic development must precede respect for civil and political rights. The United States has long resisted these attempts to create a hierarchy of basic human rights and fundamental freedoms. We should not yield to the temptation to do so now.

Third, the bill would provide no flexibility to tailor our religious freedom policies to differing circumstances in different countries. Following a finding of persecution by the Director of Religious Persecution Monitoring, sanctions would be automatic. The mechanics of imposition appear designed to make sanctions more likely to be imposed, cumbersome to waive and difficult to terminate. Their effectiveness as a means of influencing policy would be sharply limited as a consequence. The provisions of the bill, that authorize the President to waive sanctions for periods up to one year, require the President to determine that such a waiver is in the "national security interests of the United States." This stringent standard would appear to shut the door on any consideration

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